Seconded by Mr. Ramanatha Rao.

Carried.

CRIMINAL PROCEDURE CODE AMENDMENT BILL.

Mr. Krishnaswamy Rao.—I beg to present the report of the Select Committee on the Criminal Procedure Code Amendment Bill. Its consideration has, of course, to await the passing of the Penal Code Bill which is before the Council.

WILLS BILL.

Mr. Krishnaswamy Rao.—I beg to present the report of the Select Committee on the Wills Bill. The Bill is an important one and I think it has not been sufficiently long before the public in its present revised form. I would therefore move that its consideration be deferred.

Seconded by Mr. Thanu Pillai.

Carried.

IRRIGATION BILL.

Mr. Thanu Pillai.—Before taking up the amendments of which I have given notice I wish to make one or two observations of a general kind. There appears to be an impression that the main object of this Bill is to throw upon the shoulders of the ryots more responsibilities in regard to the construction, restoration and maintenance of irrigation works than ever before. Some of the apparently coercive provisions of the Bill may have led to this view; but as a matter of fact the effect of the Bill is to considerably widen the sphere of the State's obligations and circumscribe the well-understood, if largely neglected, duties of the ryots. As a rule, except in the four southern taluqs and in Shencottah, Government have not concerned themselves directly with irrigation works to any large extent. The responsibility created by the Bill extends, it will be seen, to the whole State in respect of the more important works. In regard to minor works the existing rights are maintained in the taluqs above named, and the necessary power is taken in view to assist the ryots in improving such works in the other taluqs. The duty imposed on the ryots of keeping such works in efficiency is no novelty even in South Travancore where the rule, honored though it may be more in the breach than in the observance, is that the ryots concerned should maintain the works once completely restored by Government. I am sure my friend Mr. Kuruvila whose long experience as the chief Irrigation Officer in South Travancore entitles him to speak with authority on the subject will bear me out in this statement. I would read a passage from a Memorandum of the late Dewan Mr. Ramiengar which clearly indicates the nature and extent of the duties of the ryots in regard to irrigation works in the South:—

"As each tank is thoroughly repaired or restored, it should be made over to the care of the ryots holding cultivation under it, and a writing taken from them binding them to maintain it in good condition by executing annually before the commencement of each cultivation season, the necessary repairs required to it in the way of removing any silt brought down during the preceding rainy season, clearing sluices, filling up gullies &c."

The provision relating to Petty Irrigation works may with some reason be viewed as an innovation. But even here the practice in recent years has been to leave all such works to the ryots themselves; and no one, I take it, will seriously question the expediency of defining and enforcing this practice. In making these observations, all that I wish to point out is that it is far from the intention of this Bill to divest the State of any share of its responsibility or to enhance that of the ryots. If the amendments which I would presently move meet with the Council's acceptance, the Bill would bring under the control of Government all irrigation works of importance throughout the country, enable the willing and industrious ryots to improve, with such State aid as may be needed, works which fall outside such control and teach the people habits of self-help and combination for legitimate purposes.

With these remarks I would go on to the amendments on the paper *seriatim*.

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